

#### IV. REMARKS

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner is thanked for extending the courtesy of the telephone interview on August 19, 2005 during which it was agreed that by amending claim 1 to recite "... a detecting element ..." the above rejection would be withdrawn. This has been done and thus claim 1 satisfies 35 U.S.C. 112, 2<sup>nd</sup> paragraph.

Claims 1, 2, 6-14, 16, 18-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Tajima.

In the Office Action, the Examiner is of the opinion that Tajima discloses two wireless terminals, which wirelessly group communicate with each other by a wireless link. These features are clearly recited in the current independent claims of the present invention. However, Tajima only discloses a bracelet or a necklace type device, which communicates data via a physical contact to other corresponding bracelet, etc., respectively. Nowhere in Tajima there is a disclosure identifying the wireless radio communication, two wireless radio terminals or the wireless radio link. The handshake or a touch, etc., of Tajima is clearly a wire-based link. Bodies of the users in Tajima established a wire-based connection allowing current to be transferred therebetween. The term "wireless" means definitely something else, i.e., a radio frequency based communications without a wire. Thus the teaching of Tajima is not wireless radio. Please see Tajima, Figs. 2, 5, and col. 5, line 14, to col. 6, line 19.

It is noted that for a proper rejection under 35 U.S.C. 102 the disclosure must be express, which is not the present case, or inherent. In turn, for there to be a proper inherent disclosure the missing matter must necessarily be in the reference and it would be so recognized by persons of ordinary skill in the art, see Continental Can Co. USA Inc. v. Monsanto Co., 20 USPQ 2d 1746, 1749. This is not the case here.

To clarify matters, the independent claims recite "wireless radio", i.e., radiation is required and not the body conduction of Tajima.

Thus the rejection of claims 1, 2, 6-14 and 18-27 should be withdrawn.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima in view of O'Dea.

O'Dea discloses a known system for establishing a wireless connection between two radio apparatus. O'Dea does not disclose a plurality of radio apparatuses for the wireless radio group communications, wherein each terminal has both the first transceiver for detecting the physical contact and a second transceiver for the actual wireless radio group communication, both transceivers with each terminal apparatus so that the user can touch an electrode for establishing the physical contact on the terminal and use the second transceiver for the wireless radio group communication without being in physical contact with the other user anymore.

Thus even if O'Dea is combined with Tajima, the result is not the present invention. Hence the rejection of claims 3 and 4 should be withdrawn.

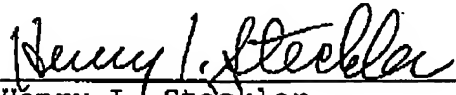
Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima in view of Ike.

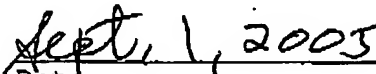
Similarly, Ike fails to disclose the present invention. Thus combining it with Tajima does not result in claim 5. Hence the rejection of this claim should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested or at least an entry for appeal purposes. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

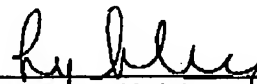
  
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